

REMARKS

Initially, Applicants would like to thank Examiner Kennedy for granting an interview and for her time spent at the interview.

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-4 and 6-11 were previously pending in the application. Claims 1, 3, 4, 6, 7, 9 and 10 are cancelled and new claims 12-16 are added. Therefore, claims 2, 8 and 11-16 are presented for consideration.

As pointed out at the interview, independent claim 2 is amended to include the subject matter of claims 3, 4, 6 and 7.

As also pointed out at the interview, the combination of SINHA et al. 6,551,935 in view of WATTS et al. (JP 11-238709) to reject claims 1-4 and 7-11 was not applied against claim 6. Since claim 6 is added to independent claim 2, this rejection is believed untenable.

In addition, as further pointed out at the interview, the SINHA reference does not teach the recited range of glycine to 1,2,3-triazole, 1,2,4-triazole and their derivatives (TZ). The WATTS reference does not teach glycine. Therefore, it would not have been obvious to combine these references to obtain the recited glycine to TZ ratio in a range of 5 to 8.

Moreover the azoles including the benzotriazole of SINHA are very different from the recited 1,2,3-triazole, 1,2,4-triazole and their derivatives, and these compounds cannot be substituted for each other as seen by comparing Tables 1 and 3 of the present invention and thus it would not have been obvious to make such a substitution. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 8 was rejected as unpatentable over SINHA et al. in view of WATTS et al. and further in view of ASANO et al. 6,679,929. That rejection is respectfully traversed.

ASANO is only cited for the teaching of colloidal silica in a slurry solution. ASANO does not teach or suggest a ratio of glycine to a triazole-based compound in a range of 5 to 8 as recited in claim 2. As set forth above, SINHA in view of WATTS does not teach or suggest what is recited in claim 2. Since claim 8 depends from claim 2 and further defines the invention, the proposed combination of references would not have rendered obvious claim 8.

Claims 1-4 and 6-11 were rejected over BENDIK, Jr. et al. 6,214,721 or LAI et al. 6,136,680 in view of WANG et al. U.S. Appln. No. 2003/0166337. These rejections are respectfully traversed.

Claim 2 is amended to recite glycine as the amino acid.

As pointed out at the interview, paragraph [0047] of WANG teaches that only alanine can be used to minimize dishing

based on its unique nature. WANG teaches that there is a difference in the molecular structures of glycine and alanine that enables alanine to be controllable during a polishing process. Accordingly, WANG teaches away from using glycine as an amino acid.

Since WATTS specifically teaches away from using glycine, it would not have been obvious to use a polishing slurry that contains glycine.

Moreover, claim 2 also recites that a content ratio of glycine to the triazole-based compound (amino acid / triazole-based compound (weight ratio)) is in a range of 5 to 8.

As pointed out at the interview, page 16, lines 12-26 of the application as filed set forth the criticality of this range. Specifically, Applicants found that when the content ratio is below this level, the polishing ratio is lowered. And unexpectedly, when the content ratio is above this range, the polishing ratio is also lowered. In conjunction with the lowered polishing ratio when the content ratio is above the recited range, unwanted dishing occurs. See Table 1 on page 30.

The proposed combination of references teaches ranges for amino acids (excluding glycine) and ranges of triazole-based compounds. However, there is no teaching or suggestion that these elements should be in the recited ratio. That is, there is no suggestion that the ratio of glycine/ triazole-based compound achieves a recognized result that could be obtained through

routine experimentation. See *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977).

Rather, as set forth above, the results of the ratio were unexpected. Such unexpected results with or without the "teaching away" in WANG is believed sufficient to rebut the case of obviousness based on overlapping ranges set forth in the Official Action. Accordingly, withdrawal of the rejection is respectfully requested.

New claims 12-16 depend from claim 2 and further define the invention and are also believed patentable over the cited art. Support for the new claims can be found on page 20, line 15 to page 21, line 26 and page 23, line 24 to page 26, line 4.

In view of the present amendment and the foregoing remarks it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account NO. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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